

Notice of Allowability

Application No.

10/738,515

Examiner

Kim Nguyen

Applicant(s)

LEIFER, RICHARD

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 1/27/05.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 18 December 2003 and 27 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Tutunjian on 2/14/05.

The application has been amended as follows:

A. IN THE SPECIFICATION:

a) Replace the abstract with the following abstract:

The dedicated DVD remote control transmitter has DVD player function control buttons and has an absence of control over game functions of the video game console at all times. The dedicated remote control transmitter wirelessly transmits DVD player control commands to at least one of the IR receiver and the RF receiver for controlling the DVD player functions of the video game console when in the second entertainment mode. The wireless game controller wirelessly transmits game control commands to at least one of the IR receiver and the RF receiver to control a game being played when the video game console is in the first game mode.

b) In the specification page 2, line 3, after "2002," insert --now U.S. patent No. 6,786,822,--

c) In the specification page 2, line 3, after "Continuation-in-Part of", insert --application Serial No. 09/649,740 filed August 28, 2000, now--

d) In the specification page 2, line 4, after “Continuation-in-Part of”, insert --application Serial No. 09/544,231 filed April 7, 2000, now--

B. IN THE CLAIMS:

- a) In claim 16, line 2; replace “DVD player control commands” with --non-game media player control commands--
- b) In claim 17, line 2; replace “DVD player control commands” with --non-game media player control commands--
- c) In claim 18, line 2; replace “DVD player control commands” with --non-game media player control commands--
- d) In claim 19, line 2; replace “DVD player control commands” with --non-game media player control commands--
- e) In claim 1, line 1, replace “(amended)” with --(currently amended)--
- f) In claim 8, line 1, replace “(amended)” with --(currently amended)--
- g) In claim 13, line 1, replace “(amended)” with --(currently amended)--
- h) In claim 14, line 1, replace “(amended)” with --(currently amended)--
- i) In claim 15, line 1, replace “(amended)” with --(currently amended)--

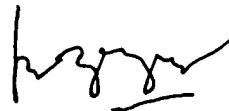
Art Unit: 3713

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is 571-272-4441. The examiner can normally be reached on Monday-Thursday during business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai, can be reached on 571-272-7147. The central official fax number for the organization where this application or proceeding is assigned is 703-872-9306.

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Date: February 14, 2005



Kim Nguyen
Primary Examiner
Art Unit 3713